

Message Text

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ORIGIN IO-13

INFO OCT-01 AF-08 ARA-06 EUR-12 EA-07 NEA-10 ISO-00 SSO-00

NSCE-00 INRE-00 SCCT-01 CIAE-00 DODE-00 PM-04 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 ACDA-07 OMB-01 SAJ-01 OIC-02 TRSE-00 SIG-01

JUSE-00 /116 R

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FM SECSTATE WASHDC

TO AMEMBASSY BOGOTA NIACT IMMEDIATE

AMEMBASSY BUCHAREST NIACT IMMEDIATE

AMEMBASSY CARACAS NIACT IMMEDIATE

AMEMBASSY LONDON NIACT IMMEDIATE

AMEMBASSY PANAMA NIACT IMMEDIATE

AMEMBASSY STOCKHOLM NIACT IMMEDIATE

AMEMBASSY TOKYO NIACT IMMEDIATE

INFO AMEMBASSY COTONOU PRIORITY

AMEMBASSY DAR ES SALAAM PRIORITY

AMEMBASSY GEORGETOWN PRIORITY

AMEMBASSY ISLAMABAD PRIORITY

USLO PEKING PRIORITY

AMEMBASSY MOSCOW PRIORITY

AMEMBASSY NAIROBI PRIORITY

AMEMBASSY TEL AVIV PRIORITY

USMISSION USUN NEW YORK PRIORITY

C O N F I D E N T I A L STATE 171506

E.O. 11652: GDS

TAGS: PFOR UNSC UG IS

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SUBJECT: SECURITY COUNCIL DEBATE ON ENTEBBE EVENTS

REFERENCES: A. USUN 2824, B. STATE 167345

, NOW THAT US/UK DRAFT RESOLUTION HAS BEEN CIRCULATED TO KEY SC MEMBERS, WE NEED TO REINFORCE IN CAPITALS THE REQUESTS FOR SUPPORT MADE IN NEW YORK. ACCORDINGLY, AMBASSADORS IN PANAMA, STOCKHOLM, TOKYO AND BUCHAREST SHOULD AT EARLIEST OPPORTUNITY FORMALLY ASK HOST GOVERNMENTS FOR THEIR SUPPORT OF US/UK RESOLUTION TRANSMITTED REFTEL A.

2. YOU SHOULD CONSULT FIRST WITH YOUR BRITISH COLLEAGUE, WHO WILL BE RECEIVING SIMILAR INSTRUCTIONS. OUR INCLINATION -- AND THAT OF THE US AND UK MISSIONS - IS FOR US AMBASSADORS TO TAKE THE LEAD IN PANAMA, TOKYO AND BUCHAREST, AND UK AMBASSADOR TO TAKE LEAD IN STOCKHOLM. JOINT DEMARCHE MAY, ON OTHER HAND, BE MORE APPROPRIATE; YOU AND YOUR COLLEAGUE SHOULD DECIDE THE TACTICS. (WE UNDERSTAND UK MAY MAKE EFFORTS IN ISLAMABAD AND DAR, BUT WE DO NOT FEEL OUR DIRECT INVOLVEMENT WOULD BE PRODUCTIVE.)

. FYI. TACTICAL SITUATION IN NEW YORK IS THAT NON-ALIGNED ARE MEETING AT 10 A.M. MONDAY, THEIR OBJECT ALMOST CERTAINLY TO MODERATE PRESENT ONE-SIDED RESOLUTION SUFFICIENTLY TO ATTRACT AT LEAST NINE VOTES. OUR OBJECTIVE, ON OTHER HAND, IS TO OBTAIN SOLID ASSURANCES OF SUPPORT FOR US/UK DRAFT FROM SEVEN COUNCIL MEMBERS AS EARLY AS POSSIBLE SO AS TO DENY NON-ALIGNED THE NINE VOTES NEEDED FOR ADOPTION OF THEIR DRAFT. PANAMA IS THE KEY SEVENTH VOTE. WE ARE MORE CONFIDENT OF SWEDEN AND JAPAN, BUT CANNOT TAKE THEM FOR GRANTED. ROMANIA IS FRANKLY LONG SHOT, AND IS BEING APPROACHED LARGELY FOR THE RECORD. WITH TANZANIA AND PAKISTAN, ROMANIA HAS NOW BEEN GIVEN RESOLUTION TEXT BY UKUN, LARGELY FOR SAKE OF COURTESY.) ENDFYI.

. IN REQUESTING SUPPORT YOU MAY WISH TO REITERATE SOME OF THE POINTS MADE IN YOUR FIRST APPROACH (STATE 166529). YOU SHOULD ALSO STATE THAT US/UK DRAFT IS THE RESULT OF CAREFUL CONSULTATIONS BETWEEN THE U.S., UK AND SC MEMBERS
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CONCERNED ABOUT HIJACKING. MODERATE IN TONE, IT CONVEYS ONLY THE ESSENTIAL POINTS. IT CONDEMNS HIJACKING AND ASKS THE INTERNATIONAL COMMUNITY TO SEARCH FOR FURTHER MEANS OF ASSURING THE SAFETY OF INTERNATIONAL CIVIL AVIATION; IT DEPLORES THE TRAGIC LOSS OF LIFE THAT OCCURRED AT ENTEBBE; AND IT REAFFIRMS THE NEED TO RESPECT THE SOVEREIGNTY AND TERRITORIAL INTEGRITY OF ALL STATES. THE RESOLUTION DOES NOT TAKE SIDES OR ATTEMPT TO CAST BLAME,

DESPITE THE STRONG EVIDENCE OF UGANDAN COMPLICITY WITH THE HIJACKERS AT ENTEBBE.

. YOU MAY WISH TO DRAW ON THE FOLLOWING ARGUMENTATION COVERING THE JUSTIFICATION IN INTERNATIONAL LAW FOR THE RESCUE OPERATION: THERE IS A WELL-ESTABLISHED, IF NARROW, RIGHT TO USE LIMITED FORCE FOR THE PROTECTION OF ONE'S OWN NATIONALS FROM AN IMMINENT THREAT OF INJURY OR DEATH IN A SITUATION WHERE THE STATE IN WHOSE TERRITORY THEY ARE LOCATED EITHER IS UNWILLING OR UNABLE TO PROTECT THEM. THE RIGHT, LIKE THE RIGHT OF SELF-DEFENSE FROM WHICH IT FLOWS, IS LIMITED TO SUCH USE OF FORCE AS IS NECESSARY AND APPROPRIATE TO PROTECT THE THREATENED NATIONALS FROM INJURY AND DOES NOT ENCOMPASS ACTS INTENDED TO PUNISH OR EXACT COMPENSATION. THE REQUIREMENTS OF THIS RIGHT TO PROTECT NATIONALS SEEM ALL TO HAVE BEEN MET IN THE ENTEBBE CASE. ISRAEL HAD GOOD REASON TO BELIEVE THAT AT THE TIME IT ACTED ISRAELI NATIONALS WERE IN IMMINENT DANGER OF EXECUTION BY THE HIJACKERS. MOREOVER, THE ACTIONS NECESSARY TO

RELEASE THE ISRAELI NATIONALS OR TO PREVENT SUBSTANTIAL LOSS OF ISRAELI LIVES HAD NOT BEEN TAKEN BY THE GOVERNMENT OF UGANDA, NOR WAS THERE A REASONABLE EXPECTATION SUCH ACTIONS WOULD BE TAKEN. IN FACT, THERE IS SUBSTANTIAL EVIDENCE THAT THE GOVERNMENT OF UGANDA COOPERATED WITH AND AIDED THE HIJACKERS. (SEE REFTELS). THE APPARENT SUPPORT GIVEN TO THE HIJACKERS BY THE UGANDAN AUTHORITIES LEADS US TO QUESTION WHETHER UGANDA LIVED UP TO ITS INTERNATIONAL LEGAL OBLIGATIONS UNDER THE HAGUE CONVENTION.

6. AT CONCLUSION OF PRESENTATION, YOU SHOULD ALSO SEEK ASSURANCE THAT HOST GOVERNMENT WILL VOTE AGAINST, OR AT CONFIDENTIAL

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MINIMUM ABSTAIN ON, THE ONE-SIDED RESOLUTION THAT HAS BEEN TABLED WHICH CONDEMNS ISRAEL FOR THE ENTEBBE RAID AND IGNORES THE EVENTS PRECEDING IT.

7. FOR CARACAS AND BOGOTA:

WE HAVE REPEATED FOR YOU KEY STATE AND USUN CABLES ON PRESENT SECURITY COUNCIL CONSIDERATION OF ISRAELI RESCUE OPERATIONS IN UGANDA. IT IS INCREASINGLY APPARENT THAT COUNCIL IS SHARPLY DIVIDED BETWEEN THOSE WHO WISH TO PUT THE COUNCIL'S EMPHASIS ON CONDEMNING ISRAEL'S VIOLATION OF UGANDA'S TERRITORIAL INTEGRITY AND THOSE WHO WISH TO PUT THE EMPHASIS ON PREVENTION OF ACTS OF TERRORISM, ESPECIALLY HIJACKING. THE US/UK DRAFT (USUN 2824, REPEATED TO YOU) APPEARS TO BE GAINING THE SUPPORT OF ITALY,

FRANCE, SWEDEN AND JAPAN. AS NOTED ABOVE, WE ARE PARTICULARLY HOPEFUL THAT PANAMA WILL ALSO SUPPORT THIS EMPHASIS, BECAUSE THE ADHERENCE OF PANAMA TO THE AFRICAN DRAFT RESOLUTION FOCUSING ON CONDEMNATION OF ISRAEL COULD PROVIDE SUCH A RESOLUTION WITH A KEY 9TH SUPPORTING VOTE. WITH 9 VOTES, SUCH A RESOLUTION CAN BE ADOPTED UNLESS WE CAST A VETO. EVEN THOUGH WE ARE NOT OPTIMISTIC WE CAN GET SUFFICIENT VOTES FOR US/UK DRAFT TO GET IT ADOPTED WITH PANAMA ASSOCIATED WITH OUR VIEW, WE WOULD BE ABLE TO DEFEAT A ONE-SIDED RESOLUTION. WE BELIEVE THAT THE CONSIDERABLE CONCERN WHICH THE GOVERNMENTS OF VENEZUELA AND COLOMBIA HAVE SHOWN FOR THE PROBLEM OF INTERNATIONAL TERRORISM SHOULD MOTIVATE THEM TO ENCOURAGE PANAMA TO COME DOWN ON THE SIDE OF THOSE IN THE COUNCIL WHO WISH TO EMPHASIZE THIS PROBLEM. THE SUBSTANTIAL EVIDENCE OF UGANDAN COMPLICITY WHICH WE ARE PROVIDING TO YOU IN REFTELS TO A GREAT DEGREE JUSTIFIES IN OUR VIEW ISRAEL RESCUE OPERATION

AND PROVIDE STRONG ARGUMENTS IN THIS CASE FOR SUBORDINATING THE ISSUE OF TERRITORIAL INTEGRITY TO THE ISSUE OF TERRORIST HIJACKING. YOU ARE, THEREFORE, INSTRUCTED, AFTER TOUCHING BASE WITH YOUR BRITISH COLLEAGUE IF YOU BELIEVE THIS HELPFUL, TO EXPLAIN THE PROBLEM IN THE COUNCIL TO HOST GOVERNMENT OFFICIALS OF AN APPROPRIATELY HIGH LEVEL, DRAWING ON ABOVE PARAGRAPHS AND REFERENCE

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TELEGRAMS AT YOUR DISCRETION, AND ENCOURAGE THEM TO MAKE A PROMPT EFFORT AT FRIENDLY PERSUASION OF THE PANAMANIAN. YOU MAY TELL THEM WE WILL BE ALSO MAKING AT THE EARLIEST OPPORTUNITY AN APPROACH TO THE PANAMANIAN. KISSIN

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